

INSPECTIONS AND APPEALS DEPARTMENT[481]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)"b."

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code sections 10A.104(5) and 135C.14, the Department of Inspections and Appeals hereby gives Notice of Intended Action to amend Chapter 60, "Minimum Physical Standards for Residential Care Facilities," and Chapter 61, "Minimum Physical Standards for Nursing Facilities," Iowa Administrative Code.

Items 1 and 3 of the proposed amendments correct the name of the division within the Iowa Department of Workforce Development that is responsible for oversight of boilers in residential care facilities and nursing facilities and correct the chapters of the administrative rules governing boilers. The proposed amendments are technical in nature and clarify the rules under which boilers are inspected and regulated.

Items 2 and 4 remove a prohibition pertaining to plastic piping for hot or cold water systems in residential care facilities and nursing facilities. The Department has frequently received requests to waive this prohibition and believes it is no longer necessary.

The Department does not believe that the proposed amendments pose a financial hardship on any regulated entities.

The proposed amendments were presented to the State Board of Health at the Board's July 8, 2009, meeting, at which time they were initially reviewed.

Any interested person may make written suggestions or comments on the proposed amendments on or before August 18, 2009. Such written materials should be addressed to the Director, Department of Inspections and Appeals, Lucas State Office Building, Des Moines, Iowa 50319-0083; or faxed to (515)242-6863. E-mail should be sent to david.werning@dia.state.ia.us.

These amendments are intended to implement Iowa Code sections 10A.104(5) and 135C.14.

The following amendments are proposed.

ITEM 1. Amend paragraph **60.11(1)"a"** as follows:

a. Boilers shall be installed to comply with the division of labor services rules promulgated ~~in~~ under Iowa Code chapter 89 and 875—Chapters ~~200 90~~ 209 96, Iowa Administrative Code, and shall be inspected annually. (III)

ITEM 2. Rescind and reserve paragraph **60.11(4)"d."**

ITEM 3. Amend paragraph **61.11(1)"a"** as follows:

a. Boilers shall be installed to comply with the ~~bureau~~ division of labor ~~regulations~~ services rules promulgated under Iowa Code chapter 89 and ~~347—Chapters 41 to 49~~ 875—Chapters 90 to 96, Iowa Administrative Code. (III)

ITEM 4. Rescind and reserve subparagraph **61.11(4)"c"(9)**.